

HOUSE OF COMMONS

**BILL C-221,
AN ACT TO AMEND THE CRIMINAL CODE
(SPORTS BETTING)**

SECOND READING

10 MINUTES (SPEECH #1)

APRIL 2016

Mr. Speaker,

Thank you for the opportunity to contribute to the debate on Bill C-221, *An Act to amend the Criminal Code* (sports betting), sponsored by my colleague, the Member for Windsor-West. During my remarks I will be highlighting the concerns I have with the proposed reforms. The Government will be opposing the Bill.

As Canadian law now stands, single event sports betting is illegal. However, provinces and territories may offer another type of sports betting, known as "parlay betting", to their residents. Parlay betting requires the bettor to correctly predict the outcome for a number of games in order to win. Parlay betting offers bettors an opportunity to participate in a legal, provincially or territorially controlled, betting environment.

By way of comparison, single event sports betting involves betting on the outcome of one single game – such as one game in the Stanley Cup finals.

This Private Member's Bill proposes to repeal paragraph 207(4)(b) of the *Criminal Code*, which prohibits betting on a single sporting event. If enacted, the amendment would allow a province or territory to offer this type of betting, if it chose to do so.

In Canada, provinces are responsible for operating, licensing and regulating most legal forms of "lottery schemes". Each province determines the types, amount and location of this kind of gambling activity within the province. If single event sports betting were permitted, each province would be left to determine how to implement this reform.

There are a whole host of issues that need to be considered when looking at legislative changes to the gambling provisions in the *Criminal Code*. These considerations such as match-fixing and problem gambling should be examined in conjunction with provinces and territories.

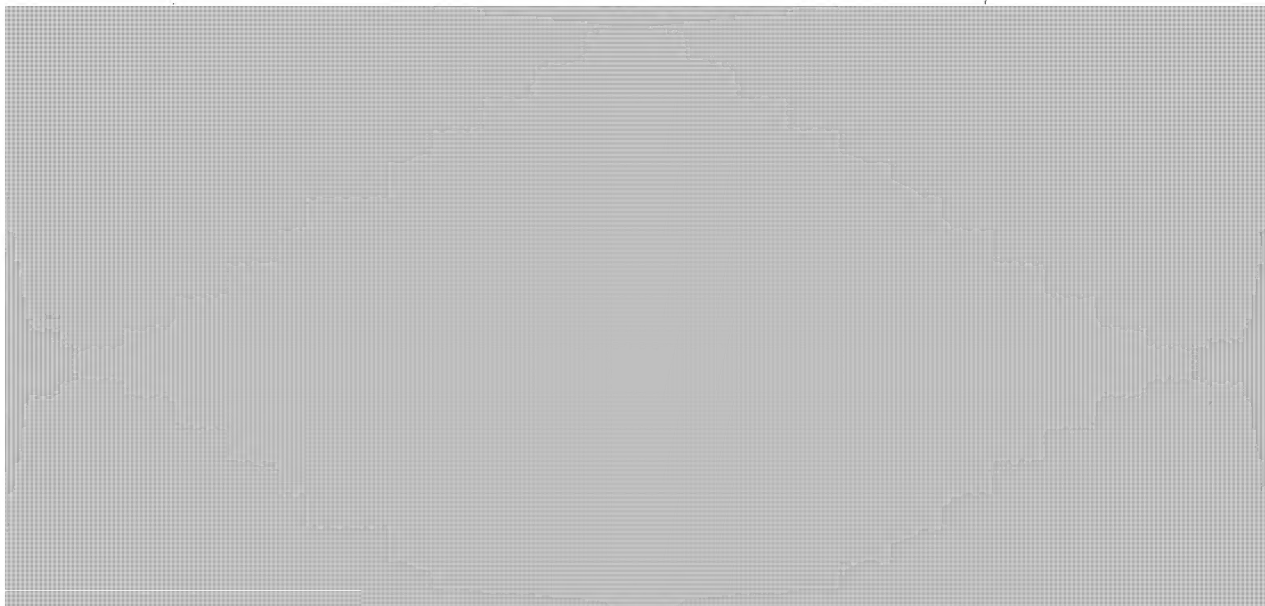
The amendment in Bill C-221 may be familiar to many Parliamentarians because the same reform was proposed in former Private Member's Bill C-290 and before that in former Private Member's Bill C-627, both of which were sponsored by the former Member for Windsor-Tecumseh. During debate and Committee study of Bill C-290 in the Senate, Senators and witnesses, raised concerns with regard to the proposed reform.

For example, the Senate Standing Committee on Justice and Human Rights considered Bill C-290 in 2011 and heard that the NCAA, the National Football League, the National Hockey

League and the Toronto Blue Jays on behalf of Major League Baseball were all against this proposed reform. The major concern for these leagues is that the proposed reform could affect the integrity of their games. The Government shares these same concerns.

It is a possibility, as suggested by many sports leagues, that legalizing single event sports betting could encourage gamblers to fix games, especially in areas where players don't earn a lot of money and may be more susceptible to bribes. The current parlay system of betting makes it unattractive to fix a game because the only way to achieve a guaranteed payout would be to rig multiple events, which would be difficult to accomplish. Single event sports betting would make a fraudster's task easier, since only one event would need to be fixed.

s.21(1)(a)



**I believe it is very important to ensure that
the integrity of the game is sedulously fostered.**



**One of the sponsor's stated objectives is to stimulate the
economy and to bring American consumers to Canada.**

**There is no question that the provinces and territories would
stand to gain substantial economic benefits from the
proposed reform but the question arises: At what cost?**

**Studies suggest that 3-5% of Canadians are at risk for
problem gambling.**

s.21(1)(a)

In 2011, the

**Centre for Addiction and Mental Health in Toronto filed a
letter with the Senate Committee studying former Bill C-290
and indicated that the empirical evidence in the field
demonstrated that an increase in legal gambling
opportunities could lead to an increase in problem gambling.
The letter indicated a particular concern for males
aged 18-45, who are more likely to engage in risky behaviour,
generally, and in sports betting in particular.**

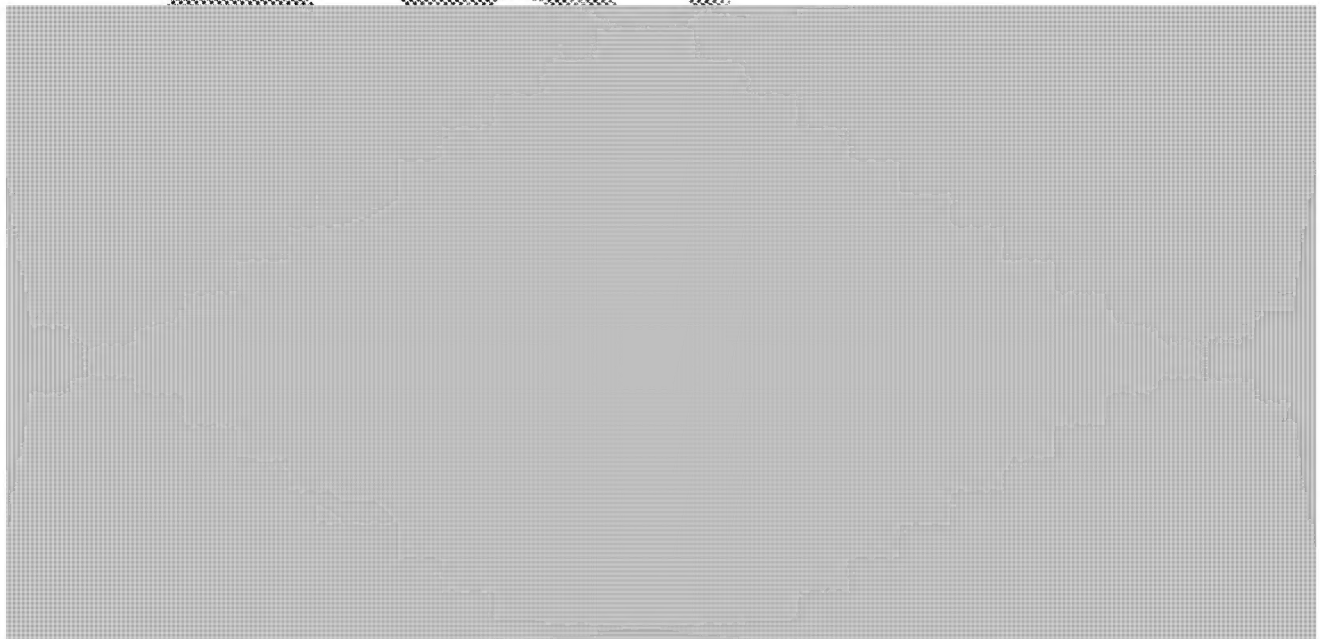
**The Centre for Addiction and Mental Health reported an
Ontario study that found that people with incomes of less
than \$20,000 per year were the least likely to gamble.**

**However, when they did, they were more likely to experience
problems than those in higher income brackets. These
statistics indicate that the cohort of Canadians in a lower**

income bracket who gamble are the most vulnerable for experiencing problem gambling issues.

As well, individuals who live at or below the poverty line have little to no disposable income to spend on gambling. The amount spent on gambling takes a bigger bite out of their monthly budget. To someone making \$20,000 a year, spending even \$1000 a year on gambling is a very significant percentage of their disposable income. Opposing this Bill means protecting our most vulnerable citizens.

s.21(1)(a)



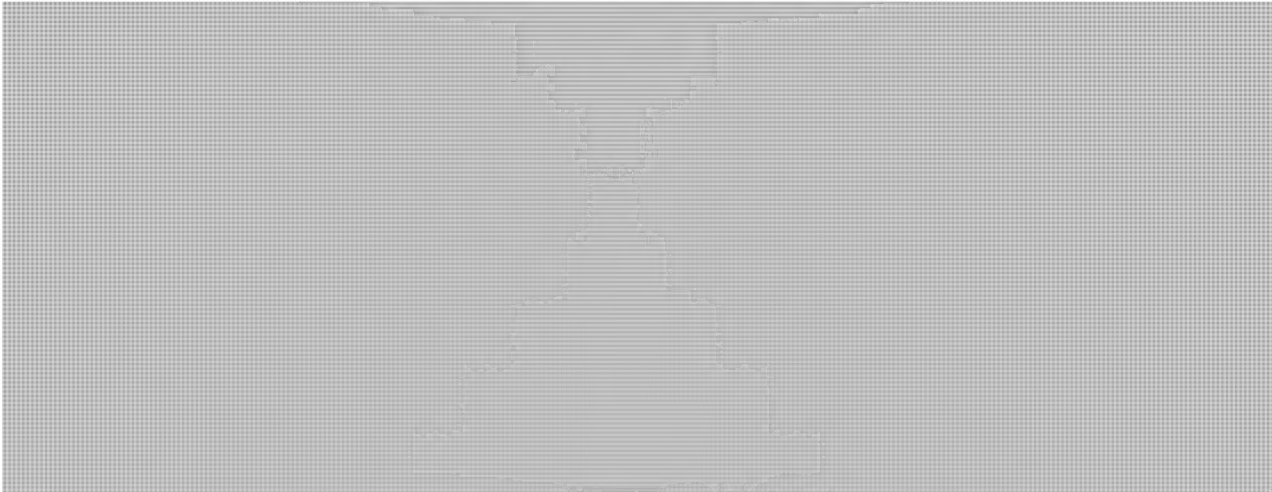
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**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.21(1)(a)



However, the suggestion that this reform would be funnelling money away from organized crime and redirecting it into provincial coffers is not necessarily clear and nor should it, in my view, provide a rationale for supporting this Bill.

In short, this proposed reform will bring about more gambling and will contribute to the many ills in society brought about by problem gambling. While I appreciate that many would see these changes as a welcome way to stimulate the economy and to fund provincial activities, I do not believe that it should be supported. As such, I would ask all members to join me in opposing this Private Member's Bill.

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**BILL C-221,
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SECOND READING

10 MINUTES (SPEECH #2)

APRIL 2016

Mr. Speaker,

I will be speaking against Private Member's Bill C-221.

This Bill would amend the *Criminal Code* to authorize a province or a territory to conduct betting on a single sporting event. This is sometimes called "head to head" betting.

Bill C-221 essentially replicates former Bill C-290 of the previous Parliament. It passed in the House of Commons but never passed in the Senate. The Bill would delete paragraph 207(4)(b) of the *Criminal Code*. Doing so would remove the prohibition on provinces and territories against conducting single event sports betting.

Currently, section 207 of the *Criminal Code* authorizes provinces and territories to conduct betting on multiple sporting events. This is known as "parlay betting."

Pages 13 to / à 15
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21(1)(a)


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I understand that the provinces and territories would stand to gain a substantial increase in gambling revenues if Bill C-221 were to pass. For casinos that have proximity to a city in the United States that has no legal, single event sports betting, there could be a strong market advantage. Canadian border cities with casinos might see some additional economic development benefits.

While I appreciate the economic advantages that the proposed reform would bring about, the big concern I have is the impact of this proposed change on individuals and families. So, I'd like to turn now to the important issue of gambling addiction. This can lead to job loss, family problems, and loss of material possessions, health problems, and theft from family and from employers, problems with the law and suicide. Provinces and territories spend millions towards the prevention and treatment of

problem gambling. They offer a variety of services and treatment that has been derived from many different methods of counseling and therapy to assist those who have a compulsive gambling problem as well as their family members. I believe that, if Bill C-221 were to pass, costs to provinces and territories would increase. More importantly, the cost to individuals, families, and society would increase.

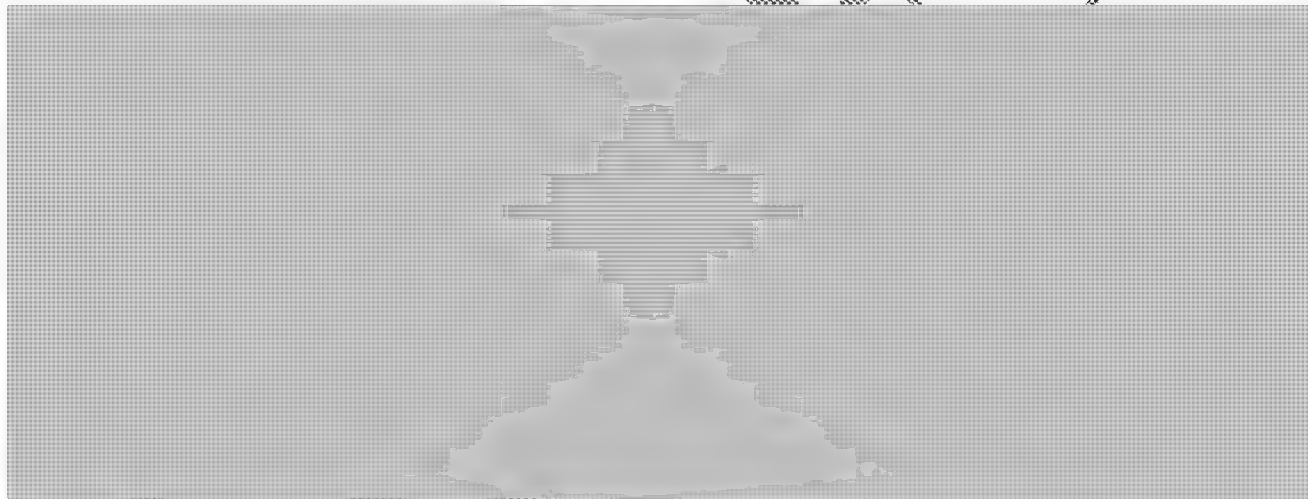
We also have to consider the issue of illegal bookmaking. Illegal bookmakers enjoy a monopoly on single event sports betting. Police report that the bookmakers are connected to organized crime. I am told that numerous Canadians illegally bet on single event games. In my view, even if Bill C-221 passed, the vast majority of those who bet with illegal bookmakers would continue to do so. This is because bookmakers extend credit directly to the bettor, unlike provinces and territories. Illegal bookmakers also have lower overhead costs and can offer more favourable betting odds.


**Bill C-221 would do nothing to change the attractions offered
by illegal bookmakers,** 



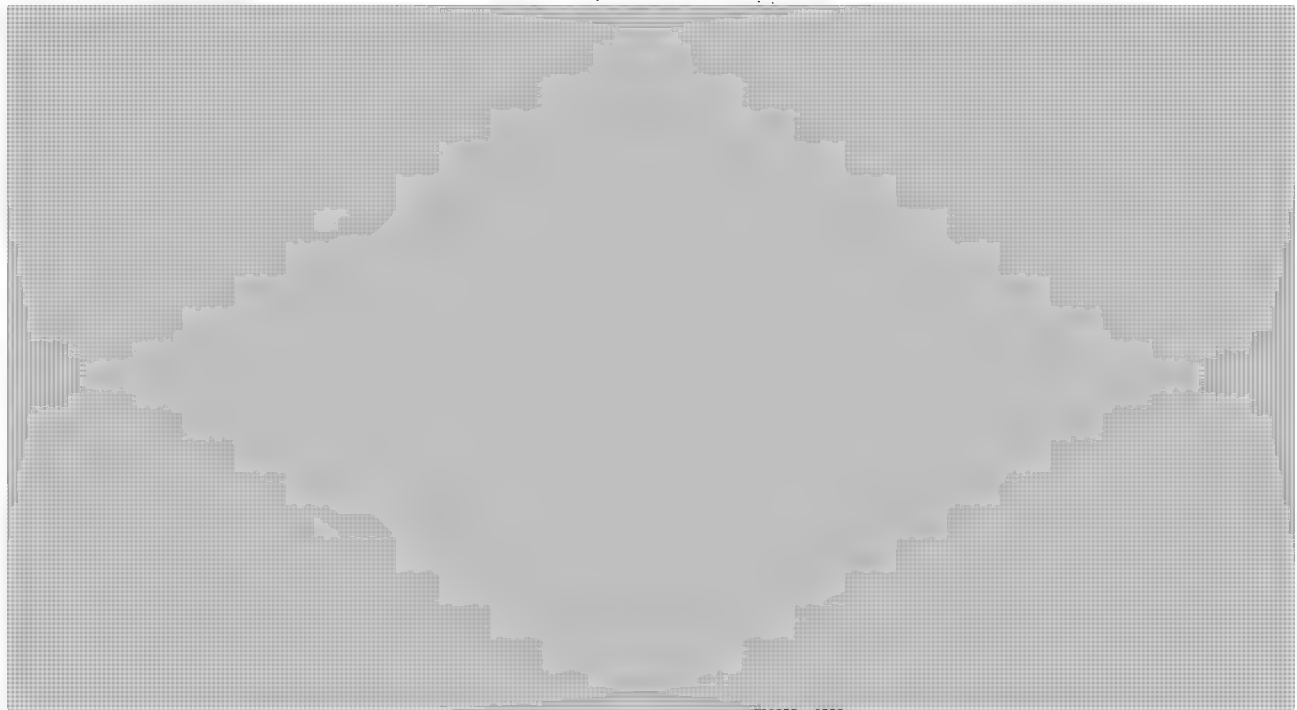
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**Sports leagues are rightly concerned to ensure that there is
no match-fixing. The integrity of sport is critical to
maintaining the interest, respect and loyalty of sports fans.**



**The Bill should not be supported and sent to a legislative
Committee for consideration.** 





s.21(1)(a)

I invite all members of the House to join me in opposing Bill C-221 at Second Reading. In my view, while the sponsor's stated objectives are laudable, the proposals do not achieve the desired objectives without doing significant harm to society.

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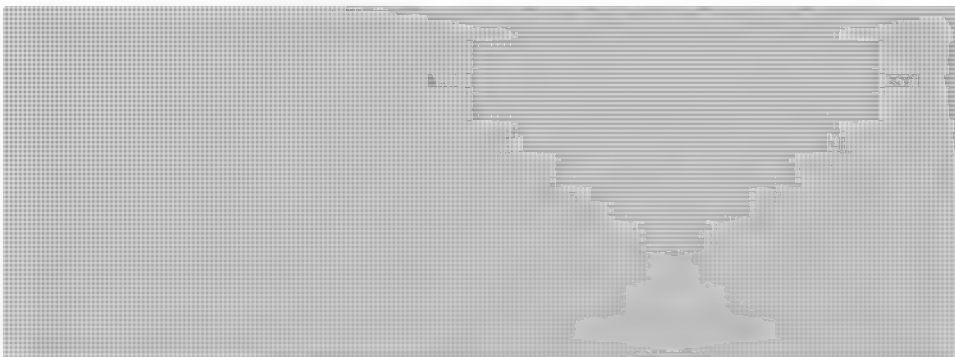
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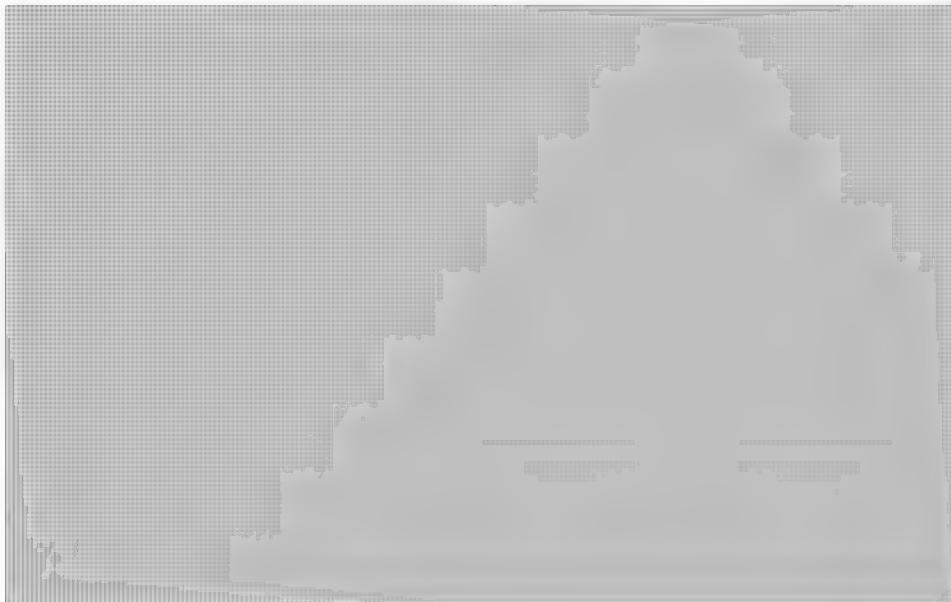
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s.21(1)(a)

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sponsor's stated objectives are laudable, the proposals do
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COMMON POLICY CONSIDERATIONS CHECKLIST

Policy and Program Development

(For internal purposes only)



Last updated: September 2015



Department of Justice
Canada

Ministère de la Justice
Canada

Canada

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Purpose:

The Common Policy Considerations (CPC) Checklist is a tool to assist the JUS policy community when developing policies and programs. It aims to facilitate the consideration of factors that are important in policy development, common to the preparation of all Memoranda to Cabinet and Treasury Board submissions, and broadly applicable to policy and program development in the federal government.

Background:

The Checklist is a comprehensive tool that was initially adopted by the Department's Policy Committee in 2008. It was designed, with broad input from across the Department, to help employees involved in policy and program development fulfil the requirements of a range of acts, directives and other high-level instructions on such topics as official languages, sustainable development, privacy, duty to consult, and gender-related impacts. The Checklist supports integrated analysis and decision-making, which are essential underpinnings of good public policy and sustainable development. Furthermore, using the Checklist will help the Department maintain records demonstrating due attention to these considerations.

The Checklist and accompanying Reference Chart are updated annually to remain current. If you have any questions, comments or suggestions for further improvements, please contact Sheena Pahwa (spahwa@justice.gc.ca).

Guidance:

- The Checklist is to be completed for all Justice-led and co-led policy/program proposals (MCs), but it can also be useful for policy and program analysis more broadly, including for Treasury Board Submissions, as appropriate. Since 2011, completion of the Checklist is mandatory for all Memoranda to Cabinet that are submitted for ministerial and Cabinet consideration.
- The CPC Checklist is accompanied by a Reference Chart which includes background information (e.g., related federal legislation, key Court decisions, etc.), links to further guidance on specific topics, and key JUS contacts. The Reference Chart is available under Tools on JusNet.
- It is recommended that users read and apply the entire Checklist at an early stage in order to best integrate the considerations in the policy development process.
- As expertise regarding these considerations may already be present within your section, you may wish to consult internally on these matters as you work your way through the Checklist.
- At an early stage, thought should also be given to the Department's *Policy on Public Legal Education and Information (PLEI)*. While PLEI is not a substitute for legal advocacy or legal or policy advice, it can be used to raise public/stakeholder awareness of legal issues and to educate or provide training to service providers or intermediaries. A copy of the PLEI Policy can be found in the CPC Reference Chart (p.17).
- In developing policies and programs, you are encouraged to consider, where applicable, the policies, operations, and practices of the Government of Canada. Earlier and greater use of dispute prevention and resolution options can improve access to justice by generally reducing costs and time spent on disputes, and by enhancing perceptions of satisfaction and fairness. Also, ethical implications should be considered throughout this process (You may wish to consult the Values and Ethics Code of the Department of Justice).
- For many of the considerations, you may wish to use the right hand column to indicate, for example: the potential impact of the initiative (i.e. low, medium or high) as well as the likelihood of that impact occurring (i.e. low, medium or high); and the existence of any detailed analysis or other findings of a particular interest. (You may wish to refer to the Legal Risk Management framework).
- Recognizing the importance of integrated risk management, please recall that it is also important to assess and address potential corporate impacts/risks in the development of departmental policy and program initiatives (incl. in grant and contribution programs).
- Please use the notes column to describe/explain your rationale, where appropriate.



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69(1)(e)

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69(1)(a)

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69(1)(e)

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